

Amendment No. 1 to SB0901

Beavers  
Signature of Sponsor

**AMEND Senate Bill No. 901**

**House Bill No. 829\***

By adding the following language as a new Section 1 and renumbering the remaining sections appropriately:

SECTION 1. Tennessee Code Annotated, Section 37-1-128(e)(1), is amended by deleting the subdivision in its entirety and substituting instead the following:

§ 37-1-128(e)(1).

If, during the pendency of any proceeding under this chapter, there is reason to believe that the child may be suffering from mental illness, the court may order the child to be evaluated on an outpatient basis by a mental health agency or licensed private practitioner designated by the commissioner of mental health and developmental disabilities to serve the court. If, during the pendency of any proceeding under this chapter, there is reason to believe that the child may be suffering from a developmental disability, the court may order the child to be evaluated on an outpatient basis by a mental health agency, developmental center or licensed private practitioner designated by the commissioner of mental health and developmental disabilities to serve the court. If, and only if, in either of the circumstances described above, the outpatient evaluator concludes that further evaluation and treatment are needed, the court may order the child hospitalized. If the court orders the child to be hospitalized in a department of mental health and developmental disabilities facility, hospital or treatment resource, the child shall be placed into the custody of the commissioner of mental health and developmental disabilities at the expense of the state for not more than thirty (30) days at a facility, hospital or treatment resource with available, suitable accommodations. Prior to transporting a defendant for such

evaluation and treatment in a department facility, the sheriff or other transportation agent shall determine that the receiving department facility has available suitable accommodations.